CD/2053

Conference on Disarmament

28 January 2016
English
Original: Spanish

Note verbale dated 25 January 2016 from the Permanent Mission of Colombia addressed to the Secretary-General of the Conference on Disarmament transmitting the instrument of ratification and a declaration dated 4 September 2015 in respect of the Convention on Cluster Munitions

The Permanent Mission of Colombia to the United Nations Office and other international organizations in Geneva presents its compliments to the Secretary-General of the Conference on Disarmament and has the honour to inform him that, on 10 September 2015, Colombia deposited with the Treaty Section of the Office of Legal Affairs of the United Nations its instrument of ratification of the Convention on Cluster Munitions, adopted in Dublin on 30 May 2008. In accordance with the provisions set out in its article 17 (2), the Convention will enter into force for Colombia on 1 March 2016. The text of the instrument of ratification, which includes a declaration, is enclosed herewith.

The Permanent Mission of Colombia requests that the present note verbale and the attached text be circulated to all States members of and observers to the Conference on Disarmament as an official document of the Conference.

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Juan Manuel Santos Calderón
President of the Republic of Colombia

To all to whom these presents shall come, greeting:

Whereas it is necessary to deposit an instrument of ratification of the Convention on Cluster Munitions, adopted in Dublin on 30 May 2008,

Whereas the Congress of the Republic has approved said Convention by Act No. 1604 of 21 December 2012, published in the Official Gazette, No. 48.651 of 21 December 2012, and the Constitutional Court has declared the Convention and the Act approving the Convention to be constitutional by its Decision C-910 of 3 December 2013, I hereby confer my acceptance and approval and order that the Convention be incorporated into the Law of the Republic and that it be observed and respected as a matter of national honour, and to that end:

I hereby issue the present instrument of ratification, which shall be deposited with the Secretary-General of the United Nations in accordance with article 17 of the Convention, together with the following declaration:

> "In 2009, the Government of the Republic of Colombia destroyed all its stockpiles of cluster munitions. Given the existence of an internal armed conflict, it is possible that there remain, in national territory, cluster munitions or cluster munition remnants of whose location the State has no knowledge or suspicion.
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> In the light of the above, the Republic of Colombia makes the following declarations regarding articles 4 and 10 of the Convention:
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> With regard to article 4, and bearing in mind the particular circumstances of its internal armed conflict, the Republic of Colombia understands 'cluster munition remnants' to mean those whose location is known or suspected by the State.
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> With regard to article 10 of the Convention, the Republic of Colombia declares that the contents of paragraph 1 thereof do not imply any recognition of or mandatory or automatic subjection of any dispute to the jurisdiction of the International Court of Justice, but instead refer to the discretionary power of each State party to submit matters related to the interpretation or application of the Convention on Cluster Munitions to such jurisdiction, provided that each State has expressly so agreed in each case."

Done and signed by my hand, embossed with the Seal of the Republic of Colombia and endorsed by the Minister for Foreign Affairs in the city of Bogotá, D.C., on 4 September 2015.

(*Signed*) María Ángela Holguín Cuellar
Minister for Foreign Affairs